



General Assembly

February Session, 2012

***Raised Bill No. 5488***

LCO No. 2061

\*02061\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING RISK REDUCTION CREDITS FOR CERTAIN  
CRIMINAL OFFENSES THAT RESULT IN THE DEATH OF ANOTHER  
PERSON.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 18-98e of the 2012 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2012, and applicable to eligibility to earn risk reduction*  
4 *credits on or after said date*):

5 (a) Notwithstanding any provision of the general statutes, any  
6 person sentenced to a term of imprisonment for a crime committed on  
7 or after October 1, 1994, and committed to the custody of the  
8 Commissioner of Correction on or after said date, except a person  
9 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,  
10 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-70a or 53a-100aa, may be  
11 eligible to earn risk reduction credit toward a reduction of such  
12 person's sentence, in an amount not to exceed five days per month, at  
13 the discretion of the Commissioner of Correction for conduct as  
14 provided in subsection (b) of this section occurring on or after April 1,  
15 2006.

16 (b) An inmate may earn risk reduction credit for adherence to the  
17 inmate's offender accountability plan, for participation in eligible  
18 programs and activities, and for good conduct and obedience to  
19 institutional rules as designated by the commissioner, provided (1)  
20 good conduct and obedience to institutional rules alone shall not  
21 entitle an inmate to such credit, and (2) the commissioner or the  
22 commissioner's designee may, in his or her discretion, cause the loss of  
23 all or any portion of such earned risk reduction credit for any act of  
24 misconduct or insubordination or refusal to conform to recommended  
25 programs or activities or institutional rules occurring at any time  
26 during the service of the sentence or for other good cause. If an inmate  
27 has not earned sufficient risk reduction credit at the time the  
28 commissioner or the commissioner's designee orders the loss of all or a  
29 portion of earned credit, such loss shall be deducted from any credit  
30 earned by such inmate in the future.

31 (c) The award of risk reduction credit earned for conduct occurring  
32 prior to July 1, 2011, shall be phased in consistent with public safety,  
33 risk reduction, administrative purposes and sound correctional  
34 practice, at the discretion of the commissioner, but shall be completed  
35 not later than July 1, 2012.

36 (d) Any credit earned under this section may only be earned during  
37 the period of time that the inmate is sentenced to a term of  
38 imprisonment and committed to the custody of the commissioner and  
39 may not be transferred or applied to a subsequent term of  
40 imprisonment. In no event shall any credit earned under this section be  
41 applied by the commissioner so as to reduce a mandatory minimum  
42 term of imprisonment such inmate is required to serve by statute.

43 (e) The commissioner shall adopt policies and procedures to  
44 determine the amount of credit an inmate may earn toward a  
45 reduction in his or her sentence and to phase in the awarding of  
46 retroactive credit authorized by subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012, and applicable to eligibility to earn risk reduction credits on or after said date</i>	18-98e

***Statement of Purpose:***

To provide that an inmate is ineligible to earn risk reduction credits if imprisoned for the offense of manslaughter in the first degree, manslaughter in the first degree with a firearm, manslaughter in the second degree, manslaughter in the second degree with a firearm, or manslaughter in the second degree with a motor vehicle, in order to prohibit the award of risk reduction credits for offenses where the inmate caused the death of another person with intent to cause serious physical injury or death, recklessly or while operating a motor vehicle under the influence of intoxicating liquor or drug.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*